STATE OF MISSOURI
Matt Blunt, Governor • Doyle Childers, Director
DEPARTMENT OF NATURAL RESOURCES
www.dnr.mo.gov

MAR 14 2008

Mr. Tom Smith
Greenleaf, L.L.C.
13960 Palm Road
Neosho, MO 64850-8660

Dear Mr. Smith:

On February 25, 2008, the Missouri Department of Natural Resources' Hazardous Waste Program received the "Waste Characterization Plan" prepared by Haz-M.E.R.T., Incorporated on the behalf of your company, Greenleaf, L.L.C. Thank you for your timely submittal.

Enclosed is a review of the plan, including our comments. Please answer the questions and address any outstanding issues **by April 4, 2008**. The department looks forward to working with Greenleaf, L.L.C., to resolve the outstanding hazardous waste issues.

If you have any questions, or wish to discuss our comments, please contact Ms. Candace Bias by telephone at (573) 751-3465, or by mail at the Missouri Department of Natural Resources, Hazardous Waste Program, Compliance and Enforcement Section, P.O. Box 176, Jefferson City, Missouri 65102-0176.

Sincerely,

HAZARDOUS WASTE PROGRAM

480303
RCRA

Kathy S. Flippin
Chief
Compliance and Enforcement Section

KSF:cbm

Enclosure

c: Mr. David Allison, Southwest Regional Office
Mr. Paul Bailey, Missouri Department of Agriculture, Bureau of Pesticide
Hazardous Waste Program, Enforcement Unit
Ms. Beth Koesterer, Environmental Protection Agency, Region 7
Solid Waste Management Program
Southwest Regional Office
Ms. Mary Jane Wingett, Environmental Protection Agency

RESP RECEIVED
MAR 17 2008

Greenleaf, L.L.C.
Neosho, Missouri
Waste Characterization Plan Review

Overall Comments

A preliminary hazardous waste determination must be made before materials are bulked up and containerized. Documentation of how this determination is made should be supplied to the Missouri Department of Natural Resources before the material is handled. Anything identified as hazardous waste must be managed appropriately while it is being consolidated. This includes being placed in a closed container compatible with the waste, marking as hazardous waste, using the appropriate U.S. Department of Transportation (DOT) markings, marking a beginning accumulation date, etc. Please submit a list of the wastes on site, including their full trade name, Environmental Protection Agency (EPA) registration number if applicable, active ingredient(s), flash point, pH, and tentative hazardous waste determination along with a special designation if the waste is acutely hazardous. You may use the Material Safety Data Sheets (MSDS) that Greenleaf, L.L.C. (Greenleaf), has already compiled to make the tentative hazardous waste determination, however, any consumer product containers observed on site that are not included with the MSDSs already compiled must be researched and added to the list. The following waste streams should also be included in the list.

1. Pesticides placed under the EPA's Stop Sale, Use, or Removal Order (SSURO) (besides the pesticides in Bin 1 and 2) are not addressed in this plan. How will these wastes be tracked and inventoried? How will they be managed? What analysis will be done?

2. Wastes present on site that are not identified by packaging are not addressed in this plan. These wastes were shipped by Wal-Mart without their consumer packaging. The source of these wastes will be difficult to determine. How will they be tracked and inventoried? How will they be managed? What analysis will be done?

3. Wastes identified by an employee during the inspection are not addressed in this plan. This includes a box of miscellaneous items located in Building 1 that Greenleaf is unable to sell because Greenleaf cannot repackage them. How will these wastes be tracked and inventoried? How will they be managed? What analysis will be done?

4. Both liquid and dry spills are present on site but are not addressed in this plan. The source of these spills will be difficult to determine. How will spill waste be tracked and inventoried? How will they be managed? What analysis will be done?

5. Floor sweepings that are present on site are not addressed in this plan. How will these wastes be tracked and inventoried? How will they be managed? What analysis will be done?

6. Aerosol cans that are present on site are not addressed in this plan. How will these wastes be tracked and inventoried? How will they be managed? What analysis will be done?

Please provide a timeline for the activities of making preliminary hazardous waste determinations, container management, container identification (bulking), and analytical testing.

Please note: The department may want to split samples with Haz-M.E.R.T., for its own analytical testing.

Section 3.1 Container Management

If any wastes have been identified as acutely hazardous, then their containers must be managed appropriately. Please describe how acutely hazardous wastes containers, destined for disposal, will be managed.

The plan states that each kind of material will be staged on a pallet in secondary containers. Does this mean that each container will be overpacked or that each pallet will have containment?

How will partial, broken, or leaking containers, be managed?

Section 3.3 Container Identification (consumer product containers)

Does this section refer to liquid only, or to both liquid and dry consumer product containers?

More information is needed on the bulking of like materials. Will consumer product containers with only the same EPA registration number and manufacturer be bulked together? Or will consumer product containers with multiple registration numbers go in the same drum? What are your criteria for bulking alike materials? Incompatible wastes may not be bulked together.

Could you explain your procedures for dealing with spills during the consolidation process? How will spill waste be managed?

In this section it is stated that, "The separated materials will go back to the manufacturers for redistribution." Prior conversations have indicated that Greenleaf would be unable to send wastes back to the manufacturers for redistribution. We require documentation that shows return to the manufacturer is a viable option for the consumer product containers. Documentation should include letters from each manufacturer stating which items they will accept by trade name and, if applicable, EPA registration number.

How will a pesticide manufacturer accept back their material if it is not in the original packaging? What controls will be in place to assure that pesticides from multiple manufacturers of the same registration are not mixed together? Although a pesticide registration's active ingredients are the same, the underlying base can be different for different manufacturers and thus not compatible for mixing. For example, the same pesticide manufactured by different companies may have either an underlying acid base or a salt base.

Any pesticide under an EPA SSURO cannot be returned to the manufacturer without first obtaining authorization from EPA to do so.

3.5 Analytical Sampling Protocols

Will there be enough liquid from two Composite Liquid Waste Sampler (COLIWASA) tubes to analyze for the constituents in Section 3.6 of the plan? Also, in the sampling strategy for the drums in Building A, there is no mention of how liquid in phases would be sampled. If the drums contain a mixture of liquids at different densities then these liquids may have separated into phases based on density. How will samples be taken if the liquid is in phases?

In this section it states that waste bulked on site will not be sampled. Can you explain how a hazardous waste determination will be made?

The waste piles are not homogeneous. It will not be acceptable to take a sample from only the front end of the pile. Please explain how you will obtain a representative sample or samples of the waste piles in Bin 1 and Bin 2.

Section 3.6 Analytical Testing

Please explain how the items to be tested for were chosen. Have all the potential hazards of these wastes been identified and included for testing? What research of the wastes on site has been done?

To clarify, please include the number of drums to be sampled in this section. Also, include the number of waste piles of granular material to be sampled.

The liquid waste in drums must be sampled for carbaryl. Alternately, you may use generator knowledge to declare the liquid waste in drums a listed hazardous waste for carabaryl. Because carbaryl has been identified in Bin 1, you are not required to test the waste pile for carbaryl. This pile must be managed as hazardous waste. Although the pile in Bin 1 does not need to be tested for carbaryl, it will need to be analyzed for other hazardous characteristics.

Waste must also be sampled for m-cresol because the substance is often used as a reactant during pesticide production. It is unlikely m-cresol will be listed as an ingredient on a pesticide's associated MSDS because it is a reactant, not an active, ingredient.

Will the granular material samples be analyzed for pesticides and herbicides using EPA Method 8151A?

While the waste is being analyzed to make a hazardous waste determination, you may also want to test for any Land Disposal Requirements that you may need for disposal purposes.

CB:ml